

IN THE UNITED STATES DISTRICT
COURT FOR THE EASTERN DISTRICT
OF PENNSYLVANIA

MARTIN W. JONES,
Plaintiff
v.

CIVIL ACTION
No. 19-4678

FRANK NAJERA,
And Joshua MALLERY,
Defendants

MOTION TO Amend,
NOTICE of Appeal on
July 12, 2023

MOTION TO AMEND, NOTICE of APPEAL
on July 12, 2023.

Plaintiff is asking the Federal Courts permission
to Amend his NOTICE of Appeal, from 7-12-2023, that
his attorney filed. The final thing she could do for
Plaintiff, she chose the wrong Order. The Order entered
on 11-12-2023 (ECF No. 43), Is not Appealable. Plaintiff
was granted leave to file a Amended complaint, which
he did. That whole Order was DISMISSED with
prejudice. Exept for Plaintiff to Amend complaint
which he did,

Dated: October 3, 2023
Attached corrected
Notice of Appeal

Respectfully Submitted
Martin W Jones
NN4778
Sci-Phoenix
1300 Mokychevic Dr.
Collegeville, PA.
19426

IN THE UNITED STATES DISTRICT
COURT FOR THE EASTERN DISTRICT
OF PENNSYLVANIA

MARTIN W. JONES,
Plaintiff,

FRANK NAJERA,
and JOSHUA MALLERY,
Defendants

CIVIL ACTION
No. 19-4678

NOTICE OF APPEAL

Notice is hereby given that Plaintiff
Martin W. Jones appeals to the United States
Court of Appeals for the Third Circuit (1)
the Order entered on August 16, 2022
(ECF 73) granting Mallery's Motion for Summary
Judgment. (attached here to as Exhibit A);
and (2) the Order and Judgment entered on
June 29, 2023 (ECF No. 143) entering judgment
for Defendant and closing the case (attached Exhibit B).
Dated: October 3, 2023

Respectfully submitted
Martin W. Jones MN4718
Sci-Phoenix
1200 Mokychic Dr.
Collegeville, PA 19426

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARTIN JONES,

Plaintiff,

v.

CIVIL ACTION
NO. 19-4678

FRANK NAJERA and JOSHUA
MALLERY,

Defendants.

ORDER

AND NOW, this 16th day of August 2022, upon consideration of Defendant Frank Najera's Motion for Summary Judgment (ECF 71), Defendant Joshua Mallery's Motion for Summary Judgment (ECF 73, 74) Plaintiff Martin Jones' Statement of Disputed Factual Issues and Declaration in Opposition to Defendant's Motion (ECF 89), and Plaintiff's Motion for Damages (ECF 81) it is hereby **ORDERED** that:

1. Najera's Motion for Summary Judgment (ECF 71) is **DENIED**.
2. Mallery's Motion for Summary Judgment (ECF 73) is **GRANTED**.
3. Jones' Motion (ECF 81) is **DENIED without prejudice** as premature.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARTIN W. JONES,

v.

FRANK NAJERA.

:
:
:
:
:

CIVIL ACTION

No. 19-4678

CIVIL JUDGMENT

Before the Honorable Gerald J. Pappert,

AND NOW, this 29th day of June, 2023, in accordance with the verdict of
the Jury,

IT IS ORDERED that Judgment is hereby entered in favor of the
defendant Frank Najera and against plaintiff Martin W. Jones as to the violation of
Jones's Fourth Amendment right not to be subjected to an unreasonable search.

BY THE COURT

ATTEST:

/s/ Katie Rolon

Katie Rolon

Deputy Clerk to the

Honorable Gerald J. Pappert

Smart Communications/PADOC

SCI- Phoenix

Name Martin W. Jones

Number NV4778

PO Box 33028

St Petersburg FL 33733

PA DEPARTMENT OF

CORRECTIONS

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Office of The Clerk

U.S. Courthouse
601 Market St,
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Phila, PA.

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